

Remarks

In response to the Office Action dated June 05, 2007, Applicant respectfully requests reconsideration based on the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

In the present application, claims 10, 13, and 16 have been amended and claims 1-9 and 17-19 have been previously cancelled without prejudice or disclaimer. No new matter has been added.

In the Office Action, claims 10-16 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ditmer et al. (US 6,490,620) in view of Nicoll (US 6,356,563), in further view of Ashton et al. (US 6,181,679).

Applicant's Statement of the Substance of the Interview

A telephone interview was conducted on August 15 between Examiner Chankong and the Applicant's representative, Arno Naeckel. During the interview potential amendments to the claims were discussed. Although the Examiner offered some helpful suggestions, no agreement was reached.

Claim Rejections - 35 U.S.C. §103

Claims 10-16 and 20

Claims 10-16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ditmer (U.S. Pat. 6,490,620) in view of Nicoll (U.S. Pat. 6,356,563) and further in view of Ashton (U.S. Pat. 6,181,679).

Amended independent claim 10 recites, in pertinent part:

“[a] method for provisioning a data link connection identifier...the virtual connection is associated with one or more existing identifiers, the method comprising...

provisioning a source identifier and a destination identifier to create a new permanent virtual connection between two logical ports; remotely displaying the one or more existing identifiers...viewing the one or more existing identifiers by a service technician, and choosing, by the service technician both the source identifier and the destination identifier where the source identifier and the destination identifier differ from each of the displayed existing identifiers.”

The Office Action asserts that Ditmer describes most of the claim elements but concedes that Ditmer fails to describe (a) storing the identifier prior to the request from the browser and (b) manually provisioning by a technician a source identifier and a destination identifier for a new virtual connection between two ports, wherein both the source identifier and the destination identifier differ from the displayed existing identifier. The Office Action proceeds by asserting that Ashton describes (a) and that Nicoll describes (b), above.

Applicants respectfully assert that Nicoll fails to describe the subject matter asserted to Nicoll by the Office Action. Generally, Nicoll concerns itself with the computerized assignment of unique global DLCI and VMI addresses to each node/site within an interworked network (Abstract), thereby providing a scheme for selecting an ultimate destination site instead of selecting the local outgoing path between sites. (Col. 5, l. 45-64).

More specifically, Nicoll describes that if any “collisions” occur between assigned identifiers during the assignment process they may be cured manually by identifying the collisions and reassigning one or more identifiers such that a collision is avoided. (Col. 3, l. 19-40). The term “Collision” in Nicoll apparently means that two different sites have been assigned the same global identifier. Resolving those collisions apparently means changing the global name/identifier of one of the nodes.

Nicoll further describes providing a port-level user display to aid in the configuration of PVC connections between global identifiers. However, Nicoll does not describe what information that display presents to the user or how the configuration of the connections is performed (Col. 11, l. 38-40).

Applicant respectfully points out that Nicoll does not describe “provisioning a source identifier and a destination identifier to create a new permanent virtual connection between two logical ports; remotely displaying the one or more existing identifiers...viewing the one or more existing identifiers by a service technician, and choosing, by the service technician both the source identifier and the destination identifier where the source identifier and the destination identifier differ from each of the displayed existing identifiers.”

Nicoll merely describes manually reassigning a global indicator to a network node to cure a collision (i.e. two nodes with the same identifier) but does not describe manually provisioning identifiers to **create a new permanent virtual connection** between two logical ports. Merely applying names to nodes does not create a connection between those nodes. It is an unwarranted

leap in logic to assume that process of provisioning global identifiers to uniquely name a node equates to provisioning a source identifier and a destination identifier for **a new virtual connection** between two ports. Applying a name does not create a connection.

Further, although Nicoll mentions a port-level user display, Nicoll does not describe manually provisioning...a source identifier and a destination identifier ...wherein both the **source identifier and the destination identifier differ from the displayed existing identifier**. There is no description concerning what the user interface displays in Nicoll or how the display is used. Therefore, because Nicoll fails to describe “manually provisioning by a technician a source identifier and a destination identifier to create a new virtual connection between two ports, wherein both the source identifier and the destination identifier differ from the displayed existing identifier”, Nicoll fails to describe the subject matter relied upon by the Office Action as being described by Nicoll.

The Office Action concedes that Ditmer fails to describe manually provisioning by a technician a source identifier and a destination identifier for a new virtual connection between two ports, wherein both the source identifier and the destination identifier differ from the displayed existing identifier. Ashton fails to cure this conceded deficiency in Ditmer since Ashton also does not describe manually provisioning by a technician a source identifier and a destination identifier for a new virtual connection between two ports, wherein both the source identifier and the destination identifier differ from the displayed existing identifier.

Therefore since none of Ditmer, Ashton and Nicoll describe “manually provisioning by a technician a source identifier and a destination identifier for a new virtual connection between two ports, wherein both the source identifier and the destination identifier differ from the displayed existing identifier, the combination of Ditmer, Ashton and Nicoll fails to describe each and every claim element. As such, the Office Action has failed to establish a prima facie case of obviousness and independent claim 10 is allowable for at least these reasons.

Amended independent claims 13 and 16 recite similar subject matter and are therefore allowable of the combination of Ditmer, Ashton and Nicoll for at least the same reason. Claims 11-15 and 20 depend from an allowable independent claim 10, 13 or 16 and are allowable for at least the same reason.

Claims 10-12, 16 and 20

Applicant further asserts that amended independent claim 16 recites additional subject matter not described by the combination of Ditmer, Ashton and Nicoll. Amended independent claim 16 recites, in pertinent part:

“...the network management module resides within a web server, compiles the one or more existing identifiers upon receiving the request from the browser, and remotely displays the one or more existing identifiers over an external third network in a web page over an external third network in response to a browser request;

querying the network management system with the network management module over the second network for a list of assigned identifiers related to a switch in the first network, wherein the assigned identifiers were stored by the network management system prior to querying the network management system...”

As discussed above, Ditmer is relied upon for describing most of the claim elements. However, Ditmer does not describe that a “network management module is resident within a web server and is operative to compile the one or more existing identifiers upon receiving the request from the browser, and remotely display the one or more existing identifiers over an external third network in a web page over an external third network in response to a browser request” or describe “querying the network management system with the network management module.”

From the Office Action, Applicant is unsure as to what component in Ditmer is being equated to the recited network management module. For the sake of this argument only and without conceding such, Applicant notes that Web Servers 24 and RTM Web Server 52 exist between a web client 14 and legacy systems 40. However, Ditmer describes server 24 as having a security function where it decrypts a client message, unwraps the client key and verifies the user session (Col. 6, l. 45-55). Ditmer describes server 52 as merely providing session management. (Col. 10, l. 23-34). As such, Applicant respectfully asserts that Ditmer fails to describe a network management module that resides within a web server, compiles the one or more existing identifiers upon receiving the request from the browser, and remotely displays the identifiers in a web page over an external third network in response to a browser request. Ditmer also fails to describe querying the network management system with the network management module over the second network for a list of assigned identifiers related to a switch in the first network, wherein the assigned identifiers were stored by the network management system prior to querying the network management system.

Applicants further assert that neither Nicoll nor Ashton appear to cure this additional deficiency of Ditmer as neither reference describes what could be readily construed as “a network monitoring module resident on a web server...”. Since none of Ditmer, Ashton, Nicoll or their combination describe “a network monitoring module that resides on a web server...”, the Office Action fails to establish a prima facie case of obviousness. Amended independent claim 16 is therefore allowable over the combination of Ditmer, Ashton and Nicoll for at least this additional reason.

Amended independent claim 10 recites similar subject matter and is allowable for at least this additional reason. Claims 11-12 and 20 depend from an allowable claim 10 and are allowable for at least the same reasons.

Further, claim 10 has been amended to clarify that the web page presented to the user includes existing **identifier information** associated with **each of the existing identifiers** of a source switch and a destination switch comprising at least an identification of the Source Switch, a Source Logical Port Name, a Source DLCI, a Source Service Type and further comprising existing identifier information for the destination switch including at least an identification of the Destination Switch, a Destination Logical Port Name, a Destination DLCI, a Destination Service Type and a Committed Information Rate. Applicants respectfully point that none of Ditmer, Ashton, Nicoll or their combination provides a web page with all of the above recited DLCI information. Ditmer describes providing a #PVC field, a CIR total field and other switch information (FIG. 12(a)-(g)). However, Ditmer does not describe a web page providing “existing **identifier information** associated with **each of the existing identifiers** of a source switch and a destination switch”. Applicants respectfully point out that neither Nicoll or Ashton describe presenting a web page including the above information and therefore fail to cure this deficiency of Ditmer. Since none of Ditmer, Ashton, Nicoll or their combination describe a web page providing the above recited DCLI information, the Office Action fails to establish a prima facie case of obviousness. As such, independent claim 10 is allowable over the combination of Ditmer, Ashton and Nicoll for at least this reason. Claims 11-12 and 20 depend from an allowable independent claim 10 and are allowable for at least this additional reason.

Conclusion

In view of the foregoing amendments and remarks, this application is now in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is invited to call the Applicant's attorney at the number listed below.

No fees are believed due. However, please charge any additional fees due or credit any overpayment to Deposit Account No. 50-3025.

Date: August 30, 2007

Respectfully submitted,

/Arno T. Naeckel/
Arno T. Naeckel 56114

Withers & Keys, LLC
P.O. Box 71355
Marietta, GA 30007-1355
(770) 518-5195